

Alfred J. Kuffer (AK 2275)  
MONTGOMERY, MCCRACKEN,  
WALKER & RHOADS, LLP  
123 S. Broad Street, 28<sup>th</sup> Floor  
Philadelphia, PA 19109  
Telephone: (215) 772-1500  
Fax: (215) 772-7620

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA	:	S1 10-CR-654 (HB)
	:	
v.	:	
	:	
DOMINIC P. CAROLLO, et al.	:	
	:	
Defendants.	:	<b>MOTION TO ADMIT</b>
	:	<b>LATHROP B. NELSON, III</b>
	:	<b><i>PRO HAC VICE</i></b>

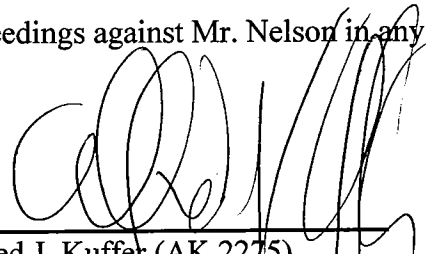
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PURSUANT TO RULE 1.3 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Alfred J. Kuffer, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Lathrop B. Nelson, III  
Montgomery, McCracken, Walker & Rhoads, LLP  
123 S. Broad St.  
Philadelphia, PA 19109  
Telephone: (215) 772-7473  
Fax: (215) 731-3708  
lnelson@mmwr.com

Lathrop B. Nelson, III, is a member in good standing of the Bars of the States of Pennsylvania and New Jersey. There are no pending disciplinary proceedings against Mr. Nelson in any State or Federal court.

Dated: November 8, 2011

  
\_\_\_\_\_  
Alfred J. Kuffer (AK 2275)  
MONTGOMERY, MCCRACKEN,  
WALKER & RHOADS, LLP  
123 S. Broad Street, 28<sup>th</sup> Floor  
Philadelphia, PA 19109  
*Attorney for Martin J. Stallone*

Alfred J. Kuffer (AK 2275)  
MONTGOMERY, MCCrackEN,  
WALKER & RHOADS, LLP  
123 S. Broad Street, 28<sup>th</sup> Floor  
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA	:	S1 10-CR-654 (HB)
	:	
v.	:	
	:	
DOMINIC P. CAROLLO, et al.	:	<b>AFFIDAVIT OF ALFRED J.</b>
	:	<b>KUFFLER IN SUPPORT OF</b>
	:	<b>MOTION TO ADMIT</b>
Defendants.	:	<b>LATHROP B. NELSON, III</b>
	:	<b><i>PRO HAC VICE</i></b>

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Alfred J. Kuffer, being duly sworn, hereby deposes and says as follows:

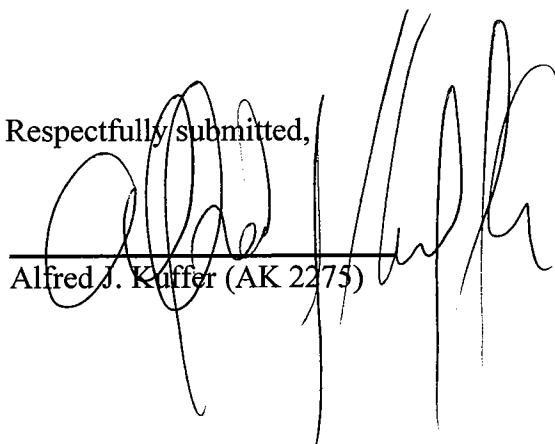
1. I am a partner of Montgomery, McCracken, Walker & Rhoads, LLP, and counsel for Movant Martin J. Stallone ("Movant") in the above-captioned actions. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Movant's motion to admit Lathrop B. Nelson, III, as counsel *pro hac vice* to represent Movant in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 1986. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known Mr. Nelson since September 2002.
4. Mr. Nelson is a partner of Montgomery, McCracken, Walker & Rhoads, LLP, in Philadelphia, Pennsylvania.
5. I have found Mr. Nelson to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Criminal Procedure and the Federal Rules of Evidence.
6. Accordingly, I am pleased to move for the admission of Lathrop B. Nelson, III, *pro hac vice*.
7. I respectfully submit two (2) certificates of good standing for Lathrop B. Nelson, III, issued by (1) the State Bar of Pennsylvania on October 31, 2011 (attached hereto as **Exhibit A**); and (2) the State Bar of New Jersey on November 4, 2011 (attached hereto as **Exhibit B**).

8. I respectfully submit a proposed order granting the admission of Lathrop B. Nelson, III, *pro hac vice*, which is attached hereto as **Exhibit C**.

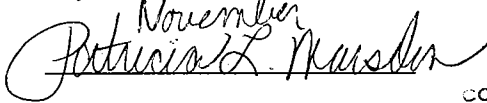
WHEREFORE, it is respectfully requested that the motion to admit Lathrop B. Nelson, III, *pro hac vice*, to represent Movant in the above-captioned matter, be granted.

Dated: November 8, 2011

Respectfully submitted,

  
Alfred J. Kuffer (AK 2275)

Sworn before me this 8th  
day of ~~October~~ November 2011.

  
Patricia L. Marsden

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
PATRICIA L. MARSDEN, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires August 19, 2012

## **EXHIBIT A**



Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***Lathrop Barrere Nelson III, Esq.***

**DATE OF ADMISSION**

***December 6, 2001***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: October 31, 2011**

A handwritten signature in cursive script, reading "Patricia A. Johnson".

Patricia A. Johnson  
Chief Clerk

## **EXHIBIT B**

# Supreme Court of New Jersey



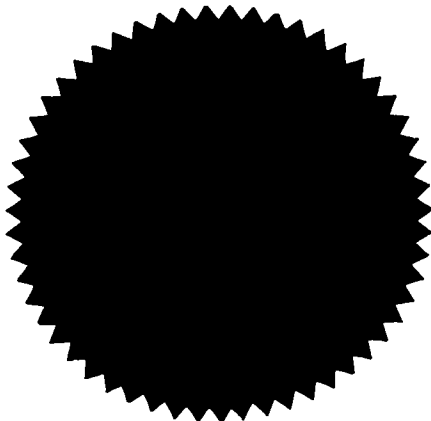
## Certificate of Good Standing

*This is to certify that*      **LATHROP B NELSON III**  
(No.      **025932001**      ) *was constituted and appointed an Attorney at Law of New*  
*Jersey on*      **January 16, 2002**      *and, as such,*  
*has been admitted to practice before the Supreme Court and all other courts of this State*  
*as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*

*In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
4TH day of November, 20 11.*



*Mark [Signature]*  
Clerk of the Supreme Court

## **EXHIBIT C**

Alfred J. Kuffer (AK 2275)  
MONTGOMERY, MCCrackEN,  
WALKER & RHOADS, LLP  
123 S. Broad Street, 28<sup>th</sup> Floor  
Philadelphia, PA 19109  
Telephone: (215) 772-1500  
Fax: (215) 772-7620

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA	:	S1 10-CR-654 (HB)
	:	
v.	:	
	:	
DOMINIC P. CAROLLO, et al.	:	<b>ORDER FOR ADMISSION</b>
	:	<b><i>PRO HAC VICE</i> ON</b>
	:	<b>WRITTEN MOTION</b>
Defendants.	:	<b>LATHROP B. NELSON, III</b>

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Upon the Motion to Admit Lathrop B. Nelson, III, *Pro Hac Vice* in the above-captioned action, submitted by sponsor Alfred J. Kuffer along with an affidavit in support thereof and certificates of good standing from the State Bars of Pennsylvania and New Jersey, it is HEREBY ORDERED that:

Lathrop B. Nelson, III  
Montgomery, McCracken, Walker & Rhoads, LLP  
123 S. Broad St.  
Philadelphia, PA 19109  
Telephone: (215) 772-7473  
Fax: (215) 731-3708  
lnelson@mmwr.com

is admitted to practice *pro hac vice* as counsel for Movant Martin J. Stallone in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. As this

action is assigned to the Electronic Case filing system, counsel will immediately apply for an ECF password at nysd.uscourts.gov. Counsel will immediately forward the *pro hac vice* fee to the Clerk of the Court.

Dated: November \_\_\_\_, 2011  
New York, New York

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United States District/Magistrate Judge

Alfred J. Kuffer (AK 2275)  
MONTGOMERY, MCCracken,  
WALKER & RHOADS, LLP  
123 S. Broad Street, 28<sup>th</sup> Floor  
Philadelphia, PA 19109  
Telephone: (215) 772-1500  
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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA	:	S1 10-CR-654 (HB)
	:	
v.	:	
	:	
DOMINIC P. CAROLLO, et al.	:	
	:	<b>AFFIRMATION OF SERVICE</b>
Defendants.	:	

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I, Alfred J. Kuffer, hereby certify that I caused a true copy of the foregoing Motion to Admit Lathrop B. Nelson, III, *Pro Hac Vice*, together with the supporting affidavit and accompanying exhibits, on all parties listed below:

Charles Reilly, Esq.  
U.S. Department of Justice, Antitrust Division  
26 Federal Plaza  
New York, New York 10278  
(By E-mail)

Antonia Hill, Esq.  
Joseph Muoio, Esq.  
Laurie Heiser, Esq.  
U.S. Department of Justice, Antitrust Division  
Suite 650w, Curtis Center, 7th and Walnut Streets  
Philadelphia, PA 19106

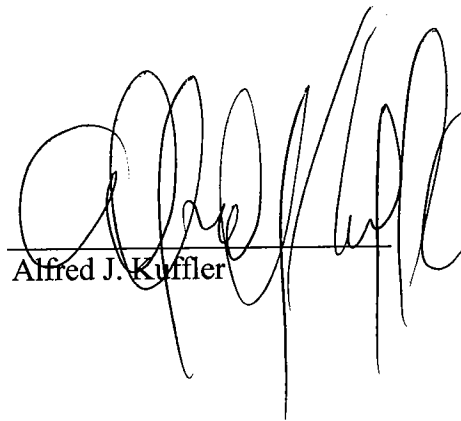
Steven Tugander, Esq.  
Kevin B. Hart, Esq.  
U.S. Department of Justice, Antitrust Division  
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*Attorneys for the United States*  
(By U.S. Mail)

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(By U.S. Mail)

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Mark Alexander Racanelli  
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***Attorneys for Peter S. Grimm***  
(By U.S. Mail)

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Walter F. Timpone  
McElroy, Deutsch, Mulvaney & Carpenter, LLP  
1300 Mount Kemble Avenue  
P.O. Box 2075  
Morristown, NJ 07962  
***Attorneys for Dominick P. Carollo***  
(By U.S. Mail)

Dated: November 8, 2011



Alfred J. Kuffler